
Introduced by Senator Berryhill

February 16, 2011

An act to amend Section 47632 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 452, as introduced, Berryhill. Charter schools: funding.

Existing law requires a sponsoring local educational agency, as defined, to transfer to each of its charter schools annually and in monthly installments specified funding in lieu of property taxes. If a school district initially denies a charter petition that is later approved by the county office of education, existing law makes the school district that denies the petition the sponsoring local educational agency for that charter school.

This bill would make a basic aid school district that is the district of residence of pupils who attend a charter school whose petition is initially denied by a school district and later approved by a county office of education, the sponsoring local educational agency for those pupils.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 47632 of the Education Code is amended
- 2 to read:
- 3 47632. For purposes of this chapter, the following terms ~~shall~~
- 4 ~~be~~ are defined as follows:
- 5 (a) "General-purpose entitlement" means an amount computed
- 6 by the formula set forth in Section 47633 beginning in the

1 1999–2000 fiscal year, which is based on the statewide average
2 amounts of general-purpose funding from those state and local
3 sources identified in Section 47633 received by school districts of
4 similar type and serving similar pupil populations.

5 (b) “Categorical block grant” means an amount computed by
6 the formula set forth in Section 47634 beginning in the 1999–2000
7 fiscal year, which is based on the statewide average amounts of
8 categorical aid from those sources identified in Section 47634
9 received by school districts of similar type and serving similar
10 pupil populations.

11 (c) “General-purpose funding” means those funds that consist
12 of state aid, local property taxes, and other revenues applied toward
13 a school district’s revenue limit, pursuant to Section 42238.

14 (d) “Categorical aid” means aid that consists of state or federally
15 funded programs, or both, which are apportioned for specific
16 purposes set forth in statute or regulation.

17 (e) “Economic impact aid-eligible pupils” means those pupils
18 that are included in the economic impact aid-eligible pupil count
19 pursuant to Section 54023. For purposes of applying Section 54023
20 to charter schools, “economically disadvantaged pupils” means
21 the pupils described in paragraph (2) of subdivision (a) of Section
22 54026.

23 (f) “Educationally disadvantaged pupils” means those pupils
24 who are eligible for subsidized meals pursuant to Section 49552
25 or are identified as English learners pursuant to subdivision (a) of
26 Section 306, or both.

27 (g) “Operational funding” means all funding except funding for
28 capital outlay.

29 (h) “School district of a similar type” means a school district
30 that is serving similar grade levels.

31 (i) “Similar pupil population” means similar numbers of pupils
32 by grade level, with a similar proportion of educationally
33 disadvantaged pupils.

34 (j) “Sponsoring local educational agency” means the following:

35 (1) If a charter school is granted by a school district, the
36 sponsoring local educational agency is the school district.

37 (2) If a charter is granted by a county office of education after
38 having been previously denied by a school district, the sponsoring
39 local educational agency means the school district that initially
40 denied the charter petition, *except for those pupils whose school*

1 *district of residence is a basic aid school district, in which case*
2 *for those pupils the basic aid school district of residence is the*
3 *sponsoring local educational agency.*

4 (3) If a charter is granted by the state board after having been
5 previously denied by a local educational agency, the sponsoring
6 local educational agency means the local educational agency
7 designated by the state board pursuant to paragraph (1) of
8 subdivision (k) of Section 47605 or if a local educational agency
9 is not designated, the local educational agency that initially denied
10 the charter petition.

11 (4) For pupils attending county-sponsored charter schools who
12 are eligible to attend those schools solely as a result of parental
13 request pursuant to subdivision (b) of Section 1981, the sponsoring
14 local educational agency means the pupils' school district of
15 residence.

16 (5) For pupils attending countywide charter schools pursuant
17 to Section 47605.6 who reside in a basic aid school district, the
18 sponsoring local educational agency means the school district of
19 residence of the pupil. For purposes of this ~~paragraph~~ *section*,
20 "basic aid school district" means a school district that does not
21 receive an apportionment of state funds pursuant to subdivision
22 (h) of Section 42238.